

§ 766.107

shall commence on the next day immediately following which is not a Saturday, Sunday, or United States legal holiday. Late payment provisions for the Special Assessment to the Fund shall be based on the Treasury Current Value of Funds Rate (which is published annually by the Treasury and used in assessing interest charges for outstanding debts on claims owed to the United States Government), plus six (6) percent pro rata on a daily basis. The additional six (6) percent charge shall not go into effect until five (5) business days after payment was originally due. Late payment fees shall be invoiced within two days of receipt of utility payment of the special assessment when delinquency is less than 30 days. For longer periods of delinquency, DOE will submit additional invoices, as appropriate. Late payment fees will be due 30 days from the date of invoice.

§ 766.107 Prepayment of future Special Assessments

DOE shall accept prepayment of future Special Assessments upon request by a domestic utility. A domestic utility's liability for the future assessments shall be satisfied to the extent of the prepayments. DOE shall use the pro rata share of prepayments attributable to a given fiscal year plus the Special Assessments collected from utilities who did not prepay for that fiscal year, in order to determine that the total amount of Special Assessments collected from domestic utilities in a given fiscal year does not exceed \$150 million, annually adjusted for inflation.

PART 770—TRANSFER OF REAL PROPERTY AT DEFENSE NUCLEAR FACILITIES FOR ECONOMIC DEVELOPMENT

Sec.

770.1 What is the purpose of this part?

770.2 What real property does this part cover?

770.3 What general limitations apply to this part?

770.4 What definitions are used in this part?

770.5 How does DOE notify persons and entities that defense nuclear facility real property is available for transfer for economic development?

10 CFR Ch. III (1–1–16 Edition)

770.6 May interested persons and entities request that real property at defense nuclear facilities be transferred for economic development?

770.7 What procedures are to be used to transfer real property at defense nuclear facilities for economic development?

770.8 May DOE transfer real property at defense nuclear facilities for economic development at less than fair market value?

770.9 What conditions apply to DOE indemnification of claims against a person or entity based on the release or threatened release of a hazardous substance or pollutant or contaminant attributable to DOE?

770.10 When must a person or entity, who wishes to contest a DOE denial of request for indemnification of a claim, begin legal action?

770.11 When does a claim “accrue” for purposes of notifying the Field Office Manager under § 770.9(a) of this part?

AUTHORITY: 50 U.S.C. 2811.

SOURCE: 65 FR 10689, Feb. 29, 2000, unless otherwise noted.

§ 770.1 What is the purpose of this part?

(a) This part establishes how DOE will transfer by sale or lease real property at closed or downsized defense nuclear facilities for economic development.

(b) This part also contains the procedures for a person or entity to request indemnification for any claim that results from the release or threatened release of a hazardous substance or pollutant or contaminant as a result of DOE activities at the defense nuclear facility.

[65 FR 10689, Feb. 29, 2000, as amended at 78 FR 67927, Nov. 13, 2013]

§ 770.2 What real property does this part cover?

(a) DOE may transfer DOE-owned real property by sale or lease at closed or downsized defense nuclear facilities, for the purpose of permitting economic development.

(b) DOE may transfer, by lease only, improvements at defense nuclear facilities on land withdrawn from the public domain, that are unneeded, temporarily underutilized, or underutilized, for the purpose of permitting economic